

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/240,275
Confirmation No.: 7177
Filing Date: January 29, 1999
Inventor(s): Harvey L. Berger, et al.
Group Art Unit: 2611
Examiner Name: Kim, Ken
Attorney Docket No.: 211467-00083
Title: Adaptive Decision Regions and Metrics

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This document is being filed pursuant to the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

I. TIME OF FILING

_____ This document is being filed in accordance with 37 C.F.R. § 1.97(b) as it is believed to be filed:

- _____ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- _____ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- _____ before the mailing of a first Office action on the merits; or
- _____ before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

OR

10/16/2006 TL0111 00000009 501214 09240275
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_____ This document is being filed in accordance with 37 C.F.R. § 1.97(c) as it is believed to be filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application. This Statement is accompanied by one of:

_____ the following statements; or

_____ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

_____ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

_____ The fee set forth in § 1.17(p). Fee Transmittal Form PTO/SB/17 is attached.

OR

X _____ This document is being filed in accordance with 37 C.F.R. § 1.97(d) as it is believed to be filed on or before the payment of the issue fee and is accompanied by one of the following statements and the fee set forth in § 1.17(p). Fee Transmittal Form PTO/SB/17 is attached.

_____ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

_____ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Applicant(s) respectfully request that the documents listed on the attached Form PTO/SB/08A and/or Form PTO/SB/08B be considered and made of record.

OR

_____ It is requested that this Statement and enclosures be placed in the file. It is understood that the cited references will not be considered by the Office.

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Application No. 09/240,275
Page 3 of 3**II. FOREIGN PATENT OFFICE COMMUNICATIONS (if applicable)**

- ☒ One or more of the items of information contained in the information disclosure statement were cited in a communication from a foreign patent office in a counterpart foreign application.
- _____ A copy of the search report is attached.

III. COPIES OF CITED REFERENCES

- ☒ Because this application was filed prior to June 30, 2003, copies of the document(s) listed on the attached Form(s) PTO/SB/08A and/or PTO/SB/08B are attached.

OR

- _____ Because this application was filed after June 30, 2003, copies of non-U.S. patent citations as listed on the attached Form(s) PTO/SB/08A and/or PTO/SB/08B are attached.

AND (if applicable)

- _____ All cited U.S. pending (non-published) applications listed on Form PTO/SB/08A are stored in the USPTO's IFW system. Copies are therefore not provided.

OR

- _____ One or more of the cited U.S. pending (non-published) applications (filed prior to June 30, 2003) as listed on Form PTO/SB/08A has not been stored in the USPTO's IFW system. Copies for the unstored applications are provided herewith.

IV. REMARKS

The above constitutes information that an Examiner may find material to the examination of the subject application; however, it does not negate the patentability of the subject invention. Furthermore, it is not intended that submission of this information be taken as a representation that a search has been made or that no information which is more material exists.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment with respect to this communication to Deposit Account No. 50-1214. A duplicate copy of this communication is enclosed.

Date: 10-13-06By: John S. Paniaguas
Attorney or Agent for Applicant(s)
Reg. No. 31,051CH01_50365195_1_211467_002277/23/2006 11:48 AM
Doc #CH01 (211467-002277) 50339293-1:02/23/2006/Timed:1:09

PTO/SB/08A (09-06)

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Sheet

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Application Number

09/240.275

Filing Date

January 29, 1999

First Named Inventor

Harvey L. Berger

Art Unit

2611

Examiner Name _____

Kim, Kevin

Attorney Docket Number

12-0892/211467-00083

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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Examiner
Signature

Date _____

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 508. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kings Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible. *Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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